

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

		C-06-2757 CRB
IN RE: BEXTRA AND CELEBREX)	Case No. M:03-CV-01699-CRB
MARKETING, SALES PRACTICES AND)	
PRODUCTS LIABILITY LITIGATION)	MDL No. 1699
)	
)	JUDGE BREYER
This document relates to:)	
)	STIPULATION AND ORDER OF
RUDENA HURT)	DISMISSAL ONLY AS TO CASE
(Case No. 4:06-cv-00082-SOW, originally)	NUMBER 4:06-cv-00082-SOW,
filed in the Western District of Missouri))	ORIGINALLY FILED IN THE
		WESTERN DISTRICT OF MISSOURI

IT IS HEREBY STIPULATED AND AGREED by and between counsel for Plaintiff and counsel for Defendants that the Complaint of Plaintiff Rudena Hurt, Case Number 4:06-cv-00082-SOW, originally filed in the Western District of Missouri on January 30, 2006 and later transferred to MDL No. 1699, *In Re: Bextra and Celebrex, Marketing, Sales Practices and Products Liability Litigation*, pursuant to Conditional Transfer Order Seventeen (CTO-17), may be and is hereby dismissed without prejudice.

This Stipulation and Order of Dismissal does not relate to nor does it have any effect upon the following actions within which Rudena Hurt is also a named plaintiff: *Rudena Hurt v. G.D. Searle & Co.*, Case Number CV05-6260-SJO (CTx) (a "Celebrex" complaint), originally filed in the Central District of California and *Rudena Hurt v. G.D. Searle & Co.*, Case Number CV05-06362-FMC (Ex) (a "Bextra" complaint), originally filed in the Central


District of California.

The parties hereby stipulate that Plaintiff will proceed in the MDL only through the California actions, and jurisdiction and venue for the trial of the actions will be proper in whichever of the following is selected by Pfizer: San Francisco, Los Angeles, Missouri.

The parties shall each bear their own costs.

Dated: April 21, 2006

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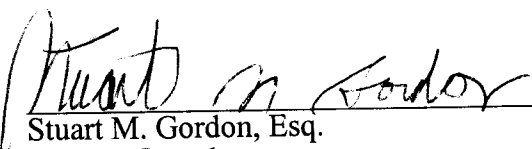
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Dated: April 24, 2006

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Defendants' Liaison Counsel

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2
3 Dated: May 12, 2006

4 ~~HONORABLE CHARLES R. BREYER~~

